

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JAMES CAPERS,

Defendant.

15 Cr. 607 (JPC)


ORDER

JOHN P. CRONAN, United States District Judge:

On December, 14, 2021, the United States Court of Appeals for the Second Circuit issued an opinion vacating Defendant's conviction on Count 5 under 18 U.S.C. § 924(j) and remanding to this Court for further proceedings. Dkt. 309 at 4-5, 53. The Government is ordered to file a status letter by December 20, 2021 indicating whether it intends to retry Defendant on the section 924(j) count. If the Government has not reached a decision on retrial by December 20, 2021, it shall submit a letter with an anticipated timeline for any decision.

SO ORDERED.

Dated: December 15, 2021  
New York, New York

  
JOHN P. CRONAN  
United States District Judge